IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1989 OF 2005

Mr.Dhanpatraj V. Bhansali. ..Petitioner.

V/s.

The State of Maharashtra. ..Respondent.

Mr.C.K.Talekar for petitioner.

Mrs. G.P.Mulekar, APP for State.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 9, 2005.

P.C. :

1. As petition has been restored by separate order, passed today on Criminal Application, petition is taken up for admission forthwith by consent.

2. Heard.

3. It is seen that investigation of the case is concluded and charge sheet has been filed against the petitioner before the Additional Chief Metropolitan Magistrate, 24th Court, Boriwali, Mumbai on 20th September, 2005, which is numbered as C.C. No.3595/PP/2005. There is no material on record to disclose commission of alleged offence by the petitioner. This argument can be pressed into

service even while applying for discharge before the trial court as charge sheet has been filed and the entire material is placed on record before the trial court. In my view, appropriate course for the petitioner is to approach before the trial court by way of application for discharge, if so advised.

4. Accordingly, this petition is disposed of, leaving all questions open to be considered by the trial court, if necessary application is filed by the petitioner.